UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE AT CHATTANOOGA

)
) Case No. 1:22-cr-0115-1
)
) Judge Travis R. McDonough
)
) Magistrate Judge Susan K. Lee
)

ORDER

Magistrate Judge Susan K. Lee filed a report and recommendation recommending that the Court: (1) grant Defendant's motion to withdraw his not guilty plea as to Count One of the two-count Indictment; (2) accept Defendant's guilty plea as to Count One; (3) adjudicate the Defendant guilty of Count One; (4) defer a decision on whether to accept the amended plea agreement (Doc. 29) until sentencing; and (5) order that Defendant remain in custody until sentencing in this matter (Doc. 33). Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with Magistrate Judge Lee's report and recommendation. Accordingly, the Court ACCEPTS and ADOPTS the magistrate judge's report and recommendation (Doc. 33) pursuant to 28 U.S.C. § 636(b)(1) and ORDERS as follows:

- Defendant's motion to withdraw his not guilty plea as to Count One of the Indictment is GRANTED;
- 2. Defendant's plea of guilty to Count One is **ACCEPTED**;
- 3. Defendant is hereby **ADJUDGED** guilty of Count One;

- 4. A decision on whether to accept the amended plea agreement (Doc. 29) is **DEFERRED** until sentencing; and
- 5. Defendant **SHALL REMAIN** in custody until sentencing in this matter which is scheduled to take place on September 15, 2023 at 9:00 a.m. [EASTERN] before the undersigned.

SO ORDERED.

/s/Travis R. McDonough

TRAVIS R. MCDONOUGH UNITED STATES DISTRICT JUDGE